

**U.S. District Court**  
**Eastern District of New York (Brooklyn)**  
**CIVIL DOCKET FOR CASE #: 1:23-cv-04808-PKC-RER**

Mirgorodskiy v. Osiashvili  
Assigned to: Judge Pamela K. Chen  
Referred to: Magistrate Judge Ramon E. Reyes, Jr  
Demand: \$15,000,000  
Cause: 28:1332 Diversity-(Citizenship)

Date Filed: 06/27/2023  
Date Terminated: 07/21/2023  
Jury Demand: Plaintiff  
Nature of Suit: 320 Assault Libel & Slander  
Jurisdiction: Diversity

**Plaintiff****Yuriy Mirgorodskiy**

represented by **Adam Brad Sherman**  
Jacobs PC  
595 Madison Avenue  
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New York, NY 10022  
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**ATTORNEY TO BE NOTICED**

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**ATTORNEY TO BE NOTICED**

V.

**Defendant****Richard Osiashvili**

Date Filed	#	Docket Text
06/27/2023	<u>1</u>	COMPLAINT against Richard Osiashvili filing fee \$ 402, receipt number ANYEDC-16838328 Was the Disclosure Statement on Civil Cover Sheet completed –yes,, filed by Yuriy Mirgorodskiy. (Attachments: # <u>1</u> Civil Cover Sheet) (Yakubov, Ilevu) (Entered: 06/27/2023)
06/27/2023	<u>2</u>	NOTICE of Appearance by Adam Brad Sherman on behalf of Yuriy Mirgorodskiy (aty to be noticed) (Sherman, Adam) (Entered: 06/27/2023)
06/28/2023	<u>1</u>	Case Assigned to Judge Pamela K. Chen and Magistrate Judge Ramon E. Reyes, Jr. Please download and review the Individual Practices of the assigned Judges, located on our <a href="#">website</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (KD) (Entered: 06/28/2023)
06/28/2023	<u>3</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to

conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically **only if all** parties wish to consent. The form may also be accessed at the following link: <http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf>. **You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent.** (KD) (Entered: 06/28/2023)

06/28/2023	<u>4</u>	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made, if any. (KD) (Entered: 06/28/2023)
06/28/2023	<u>5</u>	Your proposed summons was not issued for one of the following reasons: <b>No summons provided, please submit summons. The event can be found under the event Other Documents – Proposed Summons/Civil Cover Sheet.,</b>  Please correct and resubmit using Proposed Summons/Civil Cover Sheet. (KD) (Entered: 06/28/2023)
06/28/2023	<u>5</u>	Proposed Summons. by Yuriy Mirgorodskiy (Yakubov, Ilevu) (Entered: 06/28/2023)
06/28/2023	<u>6</u>	Summons Issued as to Richard Osiashvili. (ML) (Entered: 06/28/2023)
07/06/2023	<u>7</u>	ORDER TO SHOW CAUSE: Plaintiff is ordered to show cause by 7/20/2023 why this case should not be transferred or dismissed pursuant to 28 U.S.C. § 1406(a). Plaintiff asserts that "venue is proper in this District" because "Plaintiff resides within the Eastern District of New York" (Compl., Dkt. 1, para. 8.) However, Plaintiff appears to confuse the rule on venue, which states that "[a] civil action may be brought in... a judicial district in which any <i>defendant</i> resides, if all <i>defendants</i> are residents of the State in which the district is located." 28 U.S.C. § 1391(b)(1); <i>see also</i> Atl. Marine Const. Co., Inc. v. U.S. Dist. Ct. for W.D. of Tex., 571 U.S. 49, 55 (2013) ("[W]hether venue is wrong or improper is generally governed by 28 U.S.C. § 1391." (internal citation and quotations omitted)). Here, Plaintiff states that Defendant "resides in the State of New Jersey" (Compl., Dkt. 1, para. 5), which means venue is not proper in this District under Section 1391(b)(1). It is also not apparent from the face of the Complaint that substantial events giving rise to the lawsuit occurred in this District. <i>See</i> 28 U.S.C. § 1391(b)(2). Thus, the Court will transfer this case to the District of New Jersey unless Plaintiffs' response shows that the case is properly venued in the Eastern District of New York. Ordered by Judge Pamela K. Chen on 7/6/2023. (LC) (Entered: 07/06/2023)
07/20/2023	<u>7</u>	Letter ( <i>in response to this Court's Order to Show Cause</i> ) by Yuriy Mirgorodskiy (Sherman, Adam) (Entered: 07/20/2023)
07/21/2023	<u>8</u>	ORDER: Plaintiff was ordered to show cause why this case should not be transferred or dismissed because it was not apparent from the face of the Complaint (Dkt. <u>1</u> ) that venue was proper in this District. ( <i>See</i> 7/6/2023 Order to Show Cause.) Plaintiffs' <u>7</u> letter in response "consents to transfer... this action to the District of New Jersey." (Dkt. <u>7</u> , at 1.) The Court accordingly transfers this case to the District of New Jersey. Ordered by Judge Pamela K. Chen on 7/21/2023. (FG) (Entered: 07/21/2023)
07/21/2023	<u>8</u>	Case electronically transferred to the District of New Jersey. <b>ALL FILINGS ARE TO BE MADE IN THE TRANSFER COURT, DO NOT DOCKET TO THIS CASE.</b> (FG) (Entered: 07/21/2023)